

JC10 Rec'd PCT/PTO 05 MAR 2002

PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

16

Application Number

09/888,152

Filing Date

June 12, 2001

First Named Inventor

N. VERMEULIN, et al.

Group Art Unit

To Be Assigned

Examiner Name

TO BE ASSIGNED

Attorney Docket No.

275102001200

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☒ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Response to Missing Parts/
Incomplete Application☒ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to
Group☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status LetterOther Enclosure(s) (please identify
below):☒ .Response to Notice of Missing
Requirements under 35 USC 371
.Return postcard

Remarks



25225

PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY OR AGENTFirm
or

Kawai Lau

Individual Name

Morrison & Foerster LLP

Signature

Date

2/20/02

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 2-20, 2002.
Rhea Amid

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

sd-79558

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FEE TRANSMITTAL FOR FY 2002



Patent fees are subject to annual revision.

Complete if Known

Application Number	09/868,152
Filing Date	June 12, 2001
First Named Inventor	N. VERMEULIN, et al
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	275102001200

TOTAL AMOUNT OF PAYMENT

(\$ 18.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit - Account Number: 03-1952, ref: 275102001200

Deposit - Account Name: Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	- 20** =	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 3** =	0	x 9	= \$ 0

Multiple Dependent = \$

03/13/2002 MNGUYEN 00000060 031952 09868152

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 18

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Kawai Lau	Registration No. (Attorney/Agent)	(44,461)	Telephone	(858) 720-5178
Signature				Date	2/20/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Nicolaas VERMEULEN et al.

Serial No.: 09/868,152

Filing Date: June 12, 2001

For: ANTIZYME MODULATORS AND
THEIR USES

Examiner: To be assigned

Group Art Unit: To be assigned

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS
UNDER 35 USC 371**

Assistant Commissioner for Patents
U. S. Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice of Missing Requirements mailed December 21, 2001 in the above identified application. The Notice includes an indication that the application was filed with a submission of a "Biochemical Sequence Listing".

This appears to be in error. The undersigned has not been able to locate or identify such a submission with the original filing of the instant application.

The Notice also includes an indication that the application contains disclosure of nucleotide and/or amino acid sequences as well as a requirement for submission of a paper and computer readable forms of a "Sequence Listing" and a statement identifying the contents of the two forms as identical.

Applicants respectfully point out that a review of the instant application shows that it **does not contain any disclosure of nucleotide and/or amino acid sequences.** There is thus no requirement to comply with the requirements of 37 CFR 1.821-1.825, and no paper or computer readable forms of a "Sequence Listing" are submitted in response to the Notice. Similarly, no statement as described above is submitted in response.

In the event that Applicants' belief as set forth above is incorrect, the Commissioner is respectfully requested to contact the undersigned to identify where sequences requiring compliance may be present in the instant application.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required when calculating the fees, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952 referencing docket no. 275102001200.** However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 20, 2002

Respectfully submitted,

By: _____

Kawai Lau
Registration No. 44,461
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3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5178
Facsimile: (858) 720-5125



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20221
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/868,152	Nicolas M Vermeulin	27510-2001200

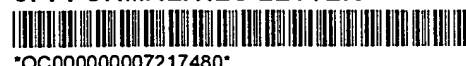
INTERNATIONAL APPLICATION NO.
PCT/US00/02972

LA. FILING DATE	PRIORITY DATE
02/04/2000	02/05/1999

Kawai Lau
Morrison & Foerster
3811 Valley Centre Drive
Suite 500
San Diego, CA 92130-2332

DOCKETED MISSING REQ DUE
REMINDER: 1/21/2002
DUE DATE: 2/21/2002
FINAL DUE DATE: 7/21/2002

CONFIRMATION NO. 6999
371 FORMALITIES LETTER



OC00000007217480

Date Mailed: 12/21/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Small Entity Statement

RECEIVED

JAN 02 2001

RECEIVED
MORRISON & FOERSTER
SAN DIEGO

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$18 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$18 for a Small Entity:

- Total additional claim fee(s) for this application is \$18
 - \$18 for 15 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/868,152	PCT/US00/02972	27510-2001200

Rec'd PCT/PTO 0 5 MAR 2002

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MAR 12 2002

PCT INITIAL PROCESSING

JC10 Rec'd PCT/PTO 0 5 MAR 2002

09/868, 152

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MAR 0 5 2002
USPTO MAIL CENTER

FIRST CLASS

MORRISON & FOERSTER LLP

3811 VALLEY CENTRE DRIVE, SUITE 500
SAN DIEGO, CA 92130-2332

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

*For: Morrison, Foster
Dequien*